

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON AGRICULTURE

Call to Order: Chairman Mike Jopek, on March 5, 2009 at 3:03
P.M., in Room 472 Capitol

ROLL CALL

Members Present:

Rep. Mike Jopek, Chairman (D)
Rep. Edward B. Butcher, Vice Chairman (R)
Rep. Julie French, Vice Chairman (D)
Rep. Russell Bean (R)
Rep. Tony Belcourt (D)
Rep. Mary Caferro (D)
Rep. Sue Dickenson (D)
Rep. Timothy Furey (D)
Rep. Brian Hoven (R)
Rep. David Howard (R)
Rep. Krayton Kerns (R)
Rep. Lee Randall (R)
Rep. Keith Regier (R)
Rep. Janna Taylor (R)
Rep. Bob Wagner (R)
Rep. Wendy Warburton (R)

Members Excused: Rep. John Fleming (D)
Rep. Edith (Edie) McClafferty (D)

Members Absent: Rep. Margaret MacDonald (D)
Rep. J. David Roundstone (D)

Staff Present: Todd Everts, Legislative Branch
Marshall McEwen, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: None

Executive Action: HB 282, HB 290, HB 478, HB 511,
HB 415, HB 416, HB 548

EXECUTIVE ACTION ON HB 282

00:01:59 **Motion:** Rep. French moved **that HB 282 DO PASS**

Discussion:

00:02:05 Chairman Jopek

00:02:07 Rep. Hoven entered the room.

00:02:12 **Substitute Motion/Vote:** Rep. MacDonald made a substitute motion that **HB 282 BE TABLED**. Substitute motion carried unanimously by voice vote. Rep. Belcourt, Rep. Fleming, Rep. McClafferty, and Rep. Roundstone voted by proxy.

00:02:51 Chairman Jopek

00:04:00 Mr. Everts, Legislative Services Division

00:08:16 Chairman Jopek

EXECUTIVE ACTION ON HB 290

00:08:33 **Motion:** Rep. French moved that **HB 290 DO PASS**.

Discussion:

00:08:36 Chairman Jopek

00:08:44 Rep. Wagner

00:09:26 Chairman Jopek

00:10:16 Rep. Wagner

00:10:24 Chairman Jopek

00:10:29 Rep. MacDonald

00:11:00 Chairman Jopek

00:11:10 Rep. Butcher

00:12:25 Chairman Jopek

00:12:28 Rep. Hoven

00:12:39 Chairman Jopek

00:13:13 Rep. Dickenson

00:14:44 Rep. Wagner

00:16:00 Rep. MacDonald

00:18:12 Rep. Furey

00:19:07 Rep. MacDonald

00:19:36 Rep. Furey

00:19:46 Rep. Butcher
00:20:09 Rep. MacDonald
00:20:31 Rep. Butcher
00:20:37 Rep. MacDonald
00:21:04 Rep. Butcher
00:21:33 Rep. Wagner
00:21:47 Rep. French
00:22:14 Mr. Everts
00:22:37 Rep. Wagner
00:25:45 Chairman Jopek

00:25:54 **Vote:** Motion carried 13-7 by roll call vote with Rep. Bean, Rep. Butcher, Rep. Howard, Rep. Kerns, Rep. Taylor, Rep. Wagner, and Rep. Warburton voting no. Rep. Belcourt, Rep. Fleming, Rep. McClafferty, and Rep. Roundstone voted by proxy.

00:27:06 Rep. Butcher
00:27:22 Mr. Everts
00:27:36 Rep. Butcher
00:27:40 Mr. Everts
00:28:00 Rep. Butcher
00:28:21 Mr. Everts
00:28:42 Chairman Jopek

EXECUTIVE ACTION ON HB 478

00:28:58 **Motion:** Rep. French moved that **HB 478 DO PASS.**

Discussion:

00:29:07 Chairman Jopek
00:29:28 Rep. Roundstone and Rep. Fleming entered the room.
00:29:34 Rep. MacDonald
00:31:11 Rep. Hoven

00:31:44 **Vote:** Motion carried 16-4 by voice vote with Rep. Bean, Rep. Kerns, Rep. Taylor, and Rep. Wagner voting no. Rep. Belcourt and Rep. McClafferty voted by proxy.

00:32:28 Chairman Jopek

EXECUTIVE ACTION ON HB 511

00:32:32 **Motion:** Rep. Butcher moved that **HB 511 DO PASS.**

Discussion:

00:32:36 Chairman Jopek

00:33:19 **Motion:** Rep. Butcher moved that **HB 511 BE AMENDED.**
EXHIBIT (agh49a01)

Discussion:

00:33:26 Chairman Jopek
00:33:31 Mr. Everts
00:34:32 Chairman Jopek
00:34:39 Rep. Dickenson
00:34:52 Rep. Butcher
00:34:59 Chairman Jopek
00:35:24 Rep. Dickenson
00:36:00 Rep. Wagner
00:36:41 Chairman Jopek
00:36:45 Rep. MacDonald
00:37:54 Rep. Butcher
00:39:01 Rep. French
00:39:39 Mr. Everts
00:41:29 Chairman Jopek

00:41:41 **Vote:** Motion carried 18-2 by voice vote with Rep. Hoven and Rep. Wagner voting no. Rep. Belcourt and Rep. McClafferty voted by proxy.

00:42:06 **Motion:** Rep. Butcher moved that **HB 511 DO PASS AS AMENDED.**

Discussion:

00:42:11 Chairman Jopek
00:42:20 Rep. Hoven
00:42:55 Rep. Butcher
00:43:22 Rep. Hoven
00:43:43 Rep. Wagner
00:43:54 Rep. French
00:44:15 Mr. Everts
00:44:30 Rep. French
00:44:56 Mr. Everts
00:45:01 Rep. French
00:45:29 Mr. Everts
00:46:35 Rep. French
00:46:38 Mr. Everts
00:46:44 Chairman Jopek

00:46:58 **Vote:** Motion failed 8-12 by roll call vote with Rep. Butcher, Rep. Fleming, Rep. Furey, Rep. Jopek, Rep. Regier, Rep. Taylor, Rep. Wagner, and Rep. Warburton voting aye. Rep. Belcourt and Rep. McClafferty voted by proxy.

00:48:38 Chairman Jopek

EXECUTIVE ACTION ON HB 415

00:48:57 **Motion:** Rep. MacDonald moved that **HB 415 DO PASS.**

00:49:07 **Motion:** Rep. MacDonald moved that **HB 415 BE AMENDED.**
EXHIBIT (agh49a02)

Discussion:

00:49:19 Chairman Jopek

00:49:24 Rep. MacDonald

00:50:53 Rep. Dickenson

00:50:57 Rep. Caferro exited the room.

00:51:25 Rep. MacDonald

00:51:44 Chairman Jopek

00:51:47 **Vote:** Motion failed 10-10 by roll call vote with Rep. Belcourt, Rep. Caferro, Rep. Dickenson, Rep. Fleming, Rep. French, Rep. Furey, Rep. Jopek, Rep. MacDonald, Rep. McClafferty, and Rep. Roundstone voting aye. Rep. Belcourt, Rep. Caferro, and Rep. McClafferty voted by proxy.

00:53:08 Chairman Jopek

00:53:21 Rep. Randall

00:54:31 Rep. Caferro entered the room.

00:56:31 Rep. MacDonald

01:00:11 Rep. Wagner

01:01:31 Chairman Jopek

01:01:36 **Vote:** Motion failed 10-10 by roll call vote with Rep. Belcourt, Rep. Caferro, Rep. Dickenson, Rep. Fleming, Rep. French, Rep. Furey, Rep. Jopek, Rep. MacDonald, Rep. McClafferty, and Rep. Roundstone voting aye. Rep. Belcourt and Rep. McClafferty voted by proxy.

01:02:45 Chairman Jopek

EXECUTIVE ACTION ON HB 416

01:02:58 **Motion:** Rep. MacDonald moved that **HB 416 DO PASS.**

Discussion:

01:03:03 Chairman Jopek

01:03:09 Rep. MacDonald

01:03:16 Chairman Jopek

01:03:18 Rep. MacDonald
01:04:19 Rep. Wagner
01:05:34 Rep. MacDonald
01:06:44 Rep. Wagner
01:07:44 Rep. MacDonald
01:08:32 Rep. Butcher
01:08:52 Rep. MacDonald
01:09:30 Rep. Butcher
01:10:03 Rep. MacDonald
01:10:27 Rep. Taylor
01:11:09 Rep. Randall
01:13:09 Rep. Hoven
01:13:32 Rep. Wagner
01:14:07 Chairman Jopek
01:14:18 Rep. MacDonald
01:15:30 Chairman Jopek

01:15:35 **Vote:** Motion carried 16-4 by roll call vote with Rep. Kerns, Rep. Regier, Rep. Taylor, and Rep. Wagner voting no. Rep. Belcourt and Rep. McClafferty voted by proxy.

01:16:37 Chairman Jopek

EXECUTIVE ACTION ON HB 548

01:16:46 **Motion:** Rep. French moved that **HB 548 DO PASS.**

Discussion:

01:16:49 Chairman Jopek

01:16:56 **Motion:** Rep. Fleming moved that **HB 548 BE AMENDED.**
EXHIBIT(agh49a03)

Discussion:

01:17:22 Chairman Jopek
01:17:51 Rep. Fleming
01:18:10 Chairman Jopek
01:18:19 Rep. Fleming
01:19:24 Rep. Kerns
01:19:46 Rep. Fleming
01:20:24 Rep. Kerns
01:20:43 Rep. Fleming
01:20:46 Rep. Kerns
01:21:00 Rep. Butcher
01:21:33 Rep. Kerns
01:21:59 Rep. Dickenson
01:22:59 Rep. Howard

01:23:13 Rep. Butcher
01:25:26 Chairman Jopek
01:25:31 Rep. Fleming
01:26:14 Rep. Butcher
01:27:16 Chairman Jopek
01:27:27 Rep. French
01:27:51 Rep. Fleming
01:28:07 Chairman Jopek

01:28:27 **Vote:** Motion failed 10-10 by roll call vote with Rep. Belcourt, Rep. Caferro, Rep. Dickenson, Rep. Fleming, Rep. Furey, Rep. Hoven, Rep. Jopek, Rep. MacDonald, Rep. McClafferty, and Rep. Roundstone voting aye. Rep. Belcourt and Rep. McClafferty voted by proxy.

01:29:42 Rep. French
01:30:11 Chairman Jopek
01:30:30 Rep. Dickenson
01:30:47 Chairman Jopek
01:31:08 Rep. Howard
01:33:12 Rep. Wagner
01:33:25 Chairman Jopek
01:33:40 Mr. Everts
01:33:45 Rep. Wagner
01:34:24 Chairman Jopek
01:34:31 Rep. Wagner
01:34:36 Rep. Bean
01:35:43 Rep. Butcher
01:39:22 Chairman Jopek
01:39:43 Rep. Hoven
01:40:08 Rep. Furey
01:40:27 Chairman Jopek
01:40:55 Rep. Kerns
01:41:05 Rep. Fleming

01:42:57 **Vote:** Motion failed 10-10 by roll call vote with Rep. Belcourt, Rep. Caferro, Rep. Dickenson, Rep. Fleming, Rep. French, Rep. Furey, Rep. Jopek, Rep. MacDonald, Rep. McClafferty, and Rep. Roundstone voting aye. Rep. Belcourt and Rep. McClafferty voted by proxy.

01:44:09 Chairman Jopek
01:44:22 Rep. French
01:44:49 Chairman Jopek
01:45:34 Rep. French
01:45:38 Chairman Jopek

ADJOURNMENT

01:46:10 Adjournment: 4:49 p.m.

Marshall McEwen, Secretary

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Additional Documents:

EXHIBIT ([agh49aad.pdf](#))